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|--|---|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |   | ATTORNEY'S DOCKET NUMBER<br>2335.0060001/SRL/KPQ              |
|  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/525,726 |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP03/09437  | INTERNATIONAL FILING DATE<br>26 August 2003 | PRIORITY DATE CLAIMED<br>28 August 2002                       |
| TITLE OF INVENTION<br>Diagnostic and Therapeutic Use of FOAP-13 Polynucleotides and Polypeptides for Neurodegenerative Diseases  |   |   |
| APPLICANT(S) FOR DO/EO/US<br>Heinz VON DER KAMMER and Johannes POHLNER   |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |
| Items 11 to 20 below concern document(s) or information included:  |   |   |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>  |   |   |

10/525726

#6

Rec'd PCT/PTO 24 OCT 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |              |   |         |  |          |
|---|--------------|---|---------|--|----------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>10/525,726   |              | INTERNATIONAL APPLICATION NO.<br>PCT/EP03/09437                               |         | ATTORNEY'S DOCKET NUMBER<br>2335.0060001/SRL/KPQ |          |
| 20. Other items or information:<br>Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designate/Elected Office (DO/EO/US); Statement Under 37 C.F.R. § 3.73(b) with copy of Assignment attached; and Paper Copy of Sequence Listing submitted on February 28, 2005.                            |              |   |         |  |          |
| The following fees have been submitted  |              |   |         | CALCULATIONS PTO USE ONLY                        |          |
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300  |              |   |         | \$   | -0-      |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))  |              |   |         | \$   |          |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0   |              |   |         | \$   |          |
| All other situations..... \$200   |              |   |         | \$   | -0-      |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))   |              |   |         | \$   |          |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0  |              |   |         | \$   |          |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100  |              |   |         | \$   |          |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400   |              |   |         | \$   |          |
| All other situations..... \$500   |              |   |         | \$   | -0-      |
| TOTAL OF 21, 22 and 23 =  |              |   |         | \$   | -0-      |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |         | \$   |          |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    | \$   |          |
| - 100 =   | /50 =        |   | x \$250 | \$   | -0-      |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |              |   |         | \$   | 130.00   |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE    | \$   |          |
| Total claims  | 19 - 20 =    |   | x \$ 50 | \$   | -0-      |
| Independent claims  | 9 - 3 =      | 6   | x \$200 | \$   | 1,200.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360 | \$   | -0-      |
| TOTAL OF ABOVE CALCULATIONS =   |              |   |         | \$   |          |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |              |   |         | \$   |          |
| SUBTOTAL =  |              |   |         | \$   | 1,330.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |         | \$   |          |
| TOTAL NATIONAL FEE =  |              |   |         | \$   | -0-      |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |         | \$   |          |
| TOTAL FEES ENCLOSED =   |              |   |         | \$   | 1,330.00 |
|   |              |   |         | Amount to be refunded:                           | \$       |
|   |              |   |         | Amount to be charged                             | \$       |

10/27/2005 AT&amp;T 00000136 10525726

 Requested date of  
 10/27/2005 MICH  
 02 FC1614 00000136 10525726  
 -1200.00 CP

 01 FC1617 \$30.00 CP  
 02 FC1614 1200.00 CP

 Refund Ref:  
 02/06/2005 0030925685

Credit Card Refund Total: \$1200.00

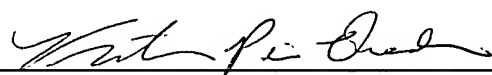
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NUMBER 26111  
Sterne Kessler Goldstein & Fox, PLLC

  
SIGNATURE

NAME Katrina Y. Pei Quach

NAME

51,063

REGISTRATION NUMBER

456728\_1.HFD



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO.     |
|-----------------------------|-----------------------|----------------------|
| 10/525,726                  | Heinz Von Der Kammer  | 2335.0060001/SRL/KPQ |

INTERNATIONAL APPLICATION NO.

PCT/EP03/09437

I.A. FILING DATE

PRIORITY DATE

08/26/2003

08/28/2002

26111  
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
 1100 NEW YORK AVENUE, N.W.  
 WASHINGTON, DC 20005

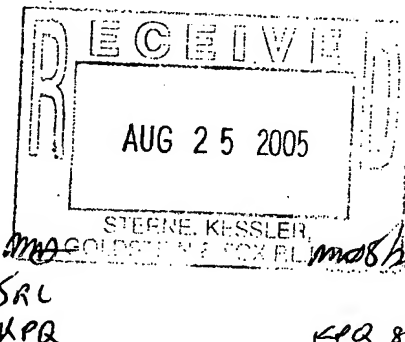
CONFIRMATION NO. 3700  
 371 FORMALITIES LETTER  
 \*OC000000016833625\*  
 \*OC000000016833625\*

Date Mailed: 08/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Copy of IPE Report filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Biochemical Sequence Diskette filed on 02/28/2005
- Biochemical Sequence Listing filed on 02/28/2005
- Request for Immediate Examination filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Declaration, Sequence Listing, Appl'n size Fee due October 23, 2005  
 STAT BAA due March 23, 2006

DOCKETED

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO.     |
|-----------------------------|-------------------------------|----------------------|
| 10/525,726                  | PCT/EP03/09437                | 2335.0060001/SRL/KPQ |